

Attorney's Docket No. _____

- ☐ Original Application
- ☒ PCT National Application
U.S. Designated Office
- ☐ Continuation-in-Part Application

030309

COMBINED DECLARATION, POWER OF ATTORNEY AND PETITION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,
Metrol Technology Limited, Unit 24, Kirkhill Place, Kirkhill Industrial Estate,
Dyce, ABERDEEN AB2 0GU
I believe I am the original, first and sole inventor (if only one name is listed below) or an original,
first and joint inventor (if plural names are listed below) of the subject matter which is claimed
and for which a patent is sought on the invention entitled _____

"Transmission of Data in Boreholes"

- ☐ which is described in the specification and claims
- ☐ attached hereto.
- ☐ filed on _____ as
Application Serial No. _____
and was amended on _____
(if applicable)

- ☒ which is described in international application no. PCT/GB91/01599
filed 18 September 1991 and as amended on
11 June 1991 (if any), which I have
reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I do not know and do not believe that the same was ever known or used in the United States before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application or said international application, that the same was not in public use or on sale in the United States of America more than one year prior to this application or said international application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application or said international application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application or said international application and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application or said international application by me or my legal representatives or assigns except as identified below.

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I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Number	Country	Date of Filing (day, month, year)	Priority Claimed
9021253.1	United Kingdom	29 September 1990	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)_____
(Filing Date)_____
(Status) (patented,
pending, abandoned)_____
(Application Serial No.)_____
(Filing Date)_____
(Status) (patented,
pending, abandoned)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith:

PAUL F. PRESTIA

Registration No. 23,031

ALLAN RATNER

Registration No. 19,717

SEND CORRESPONDENCE TO:

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(215) 265 6666

COMBINED DECLARATION, POWER OF ATTORNEY AND PETITION
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I hereby petition for grant of a United States Letters Patent on this invention.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1.	FULL NAME OF SOLE OR FIRST INVENTOR <u>DAVID BALFOUR SMITH</u>	INVENTOR'S SIGNATURE <i>David Balfour Smith</i>	DATE <u>22nd March 1993</u>
	RESIDENCE	CITIZENSHIP British	
	POST OFFICE ADDRESS East Neuk, Netherley, Stonehaven, Kincardineshire, AB3 2NQ		
2.	FULL NAME OF SECOND JOINT INVENTOR, IF ANY	INVENTOR'S SIGNATURE <i>SE</i>	DATE
	RESIDENCE	CITIZENSHIP	
	POST OFFICE ADDRESS		
3.	FULL NAME OF THIRD JOINT INVENTOR, IF ANY	INVENTOR'S SIGNATURE	DATE
	RESIDENCE	CITIZENSHIP	
	POST OFFICE ADDRESS		
4.	FULL NAME OF FOURTH JOINT INVENTOR, IF ANY	INVENTOR'S SIGNATURE	DATE
	RESIDENCE	CITIZENSHIP	
	POST OFFICE ADDRESS		
5.	FULL NAME OF FIFTH JOINT INVENTOR, IF ANY	INVENTOR'S SIGNATURE	DATE
	RESIDENCE	CITIZENSHIP	
	POST OFFICE ADDRESS		
6.	FULL NAME OF SIXTH JOINT INVENTOR, IF ANY	INVENTOR'S SIGNATURE	DATE
	RESIDENCE	CITIZENSHIP	
	POST OFFICE ADDRESS		
7.	FULL NAME OF SEVENTH JOINT INVENTOR, IF ANY	INVENTOR'S SIGNATURE	DATE
	RESIDENCE	CITIZENSHIP	
	POST OFFICE ADDRESS		
8.	FULL NAME OF EIGHTH JOINT INVENTOR, IF ANY	INVENTOR'S SIGNATURE	DATE
	RESIDENCE	CITIZENSHIP	
	POST OFFICE ADDRESS		

Applicant or Patentee: David B. [redacted] Attorney's
 Serial or Patent No.: PCT No. PCT/GB91/01599; U.S. No. 08/030309 Docket No.:
 Filed or Issued: International Filing Date: 18 September 1991
 For: TRANSMISSION OF DATA IN BOREHOLES

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
 STATUS (37 CFR 1.9 (f) and 1.27 (c)) — SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Metrol Technology Limited
 ADDRESS OF CONCERN Unit 24, Kirkhill Place, Kirkhill Industrial Estate,
Dyce, ABERDEEN AB2 0GU

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9 (d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled "Transmission of Data in Boreholes"
 _____ by inventor(s)
 _____ described in

- ☐ the specification filed herewith
☒ application serial no. PCT/GB91/01599, filed 18 September 1991
☐ patent no. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9 (d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME _____
 ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME _____
 ADDRESS _____
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

X NAME OF PERSON SIGNING COMPTON ROSS
 TITLE OF PERSON OTHER THAN OWNER DIRECTOR
 ADDRESS OF PERSON SIGNING 68 EARLS PARK DRIVE, BIELDSIDE
ABERDEEN AB1 9AH

X SIGNATURE Compton Ross X DATE 22nd MARCH 1993